REMARKS

Claims 9-16 are presently pending in the application. Claims 9, 15 and 16 were amended in this response. No new matter was introduced as a result of the amendments. Accordingly, entry of the amendments and favorable reconsideration are respectfully requested.

Claims 9-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Gustafsson* (US Patent 6,351,647) in view of *Hoirup et al.* (US Patent 6,397,054). The Applicant respectfully traverses the above rejections for the following reasons.

Specifically, the cited art, alone or in combination, fails to teach or suggest the features of "transmitting a sequence in a message sent to the mobile stations in at least one cell of a mobile radio network present in the area; and providing that a connection only be established from a mobile station in the area to a destination called by the mobile station if the mobile station requesting the connection establishment communicates the sequence" as recited in claim 9, and similarly recited in amended claims 15 and 16.

As explained previously, the present claims are directed to addressing the issues of mobile radio networks in an area hit by an event, such as a disaster, where the networks are frequently overloaded due to users of numerous mobile stations present in the area trying to make emergency calls. To alleviate such problems, the present claims disclose a configuration where, for example, a sequence is transmitted via a cell broadcast (e.g., SMS-CB in GSM, etc.) to all mobile stations in at least one cell in the area of the disaster, wherein the sequence allows a mobile station to request the establishment of a connection (e.g., a voice connection) to a specified destination address only when the sequence is properly addressed. Accordingly, the establishment of connections can be more efficiently controlled to the mobile stations in an area while still avoiding network overload.

In contrast, *Gustafsson* discloses a system and method for requesting location-dependent service requests that bears no relation to an event in a particular area (see Abstract). Under *Gustafsson*, a base station (BTS1) broadcasts location information on its cell broadcast channel, and the mobile station MS picks this location information from the broadcasting received by it. When the subscriber wishes to have a service announcement dependent on the geographical area from the area the subscriber is situated at the moment, the subscriber starts to form a short message in the mobile station MS (FIG. 5, step 54). Next, the location information retrieved

from the memory location is attached to the short message, and the mobile station MS sends the short message provided in this way to the base station BTS from which the short message is further transmitted via the base station controller BSC, the mobile services switching centre MSC and the gateway MSC to the short message service centre SMSC, as shown in FIG. 3. The short message is transferred from the short message service centre SMSC further to the unit providing the service (e.g., news, weather, etc.). In step 57 of FIG. 5 the unit providing the service selects a service announcement dependent on the geographical area on the basis of the location information delivered in the service request. In step 58 (FIG. 5) the unit providing the service sends the requested service announcement to the mobile station MS that ordered the service (col. 7, lines 22-59; col. 4, lines 1-24).

Accordingly, *Gustafsson* teaches that location based information is broadcast to the cell phones, where the user of the cell phone can request a service announcement, such as news or weather for a specific geographic area. As the Office Action has conceded, the system and methods disclosed in *Gustafsson* do not address specific events, such as disasters (pages 2-3 of the Office Action). The significance of this is not merely semantic, as the Office Action suggests - under *Gustafsson*, the location information is automatically transmitted by the base stations to all of the mobile stations in the area, and it is up to the user to "pick" the location information for obtaining location-based service announcements. The Office Action fails to reconcile how the location information (apparently being interpreted as "a sequence") is sent to a mobile station "in at least one cell of a mobile radio network present in the area." The service announcement provider has no way of knowing what cell phones are located in a specific area, until the user sends the information himself/herself. Additionally, the only area-specific information sent in Gustaffson is the service announcement itself (col. 6, lines 37-53), and the service announcement has nothing to do with establishing connections from the mobile station.

Hoirup does not solve the deficiencies of *Gustafsson*, described above, and additionally teaches away from *Gustafsson*. *Hoirup* does not deal with location-based information, and only addresses issues of SMS restrictions in GSM networks when users wish to make emergency calls (col. 1, lines 52-63; col. 2, lines 5-16). In order for users to make non-voice emergency calls (i.e., SMS, see col. 2, line 62 - col. 3, line 8), *Hoirup* introduces the establishment of a new cause and service type to the GSM system to allow a user to receive an assignment message during a

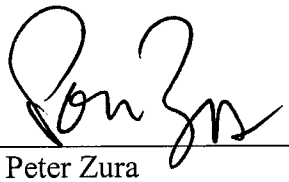
channel request, where a CM service request recognizes emergency SMS messages over a dedicated channel (col. 5, lines 8-29; see claim 1).

Additionally, *Hoirup* teaches an emergency calling procedure for a GSM-based system that does not include the use of a sequence, as claimed. In Figs. 1 and 3 of *Hoirup*, an emergency calling procedure is initiated from a mobile station by transmitting a CHANNEL REQUEST message to the cellular or satellite network. In response to the CHANNEL REQUEST, the network sends an IMMEDIATE ASSIGNMENT message to the mobile station, directing it to a dedicated control channel on which a call setup can proceed (col. 2, lines 17-39; *see* col. 5, lines 30-52). Accordingly, *Hoirup* teaches that the request is the first message exchanged in the displayed message flow, and as such, cannot contain a sequence that was transmitted before the request.

In light of the above, the Applicant respectfully submits that claims 9-16 are both novel and non-obvious over the art of record. The Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Commissioner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0117393-073) on the account statement.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

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